**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 1201 OF 2005**

Mohd. Iqbal Shaikh Ismail ..Petitioner

versus

State of Maharashtra ..Respondents

Mr. B. G. Tanksali, Advocate Appointed for the Petitioner.

Mr. V. B. Konde-Deshmukh, APP for the Respondents - State.

**CORAM : D. G. DESHPANDE, &**
**V. K. TAHILRAMANI,JJ.**

**DATE : 21ST MARCH, 2006**

**P.C. :**

1. Heard.

2. Rule returnable forthwith.

3. This is a petition for Parole leave through Jail. According to the accused - petitioner his mother is 100 years old, who is also sick, and he wants to see her.

4. Learned APP stated that the petitioner was

earlier granted Parole but he surrendered after 73 days and on the second occasion he surrendered after 5 days.

5. Considering the age of the petitioner's mother who is 100 years of old and also sick, we grant this petition. The petitioner be released on Parole on the usual terms and conditions. After his release the petitioner to mark his attendance in J.J. Marg Police Station between 4.00 p.m. to 6.00 p.m. We direct that if he fails to mark his attendance even on one day, the police will immediately take him in custody and sent back to the jail and the parole will come to an end from that day itself.

6. This order be communicated by the office to the Petitioner and to the Superintendent of the Open Jail at Marathwada.

7. Rule made absolute.

(D.G. DESHPANDE, J. )

(V.K. TAHILRAMANI, J.)